

1 HON. MONICA J. BENTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

9 JAIME SANCHEZ, FRANCISCO JAVIER
10 GONGORA, LORENA LEYVA, and FERMIN
11 J. GONZALEZ ,
12 Plaintiffs,

13 v.
14 FIGARO BISTRO, INC. dba VOILA and
LAURENT GABEL,

15 Defendants.

No. C 05-0197-MJB

STIPULATED ORDER TO MODIFY
CASE SCHEDULE

NOTE ON MOTION CALENDAR:
January 26, 2006

17 **I. RELIEF REQUESTED**

18 The parties seek to extend the deadline for dispositive motions to February 21, 2006
19 and accelerate mediation to the earliest available date.

20 **II. STATEMENT OF FACTS**

21 This is a relatively modest wage and hour case involving four restaurant kitchen
22 workers. The deadline for dispositive motions is presently January 31, 2006, mediation is
23 to be held by March 7, 2006 and a 2-day bench trial is set to begin April 11, 2006.

STIPULATED ORDER TO MODIFY CASE SCHEDULE –
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1 The parties believe it is in the interest of litigant and judicial economy to invert the
2 dispositive motion and mediation sequence, to have mediation as soon as possible, with the
3 deadline for dispositive motions extended to February 21, 2006. The parties choose
4 February 21, 2006 because they hope it is soon enough to complete mediation but not so far
5 as to require delaying other case schedule times.

6 The parties also request that the Court assist the mediation/settlement process by
7 scheduling a mediation/settlement conference with a Judge or other mediation/settlement
8 officer as soon as a date is available.

9 **III. STATEMENT OF ISSUES**

10 Whether the parties have demonstrated good cause for the proposed change in the
11 case schedule.

12 **IV. EVIDENCE RELIED UPON**

13 Representations by counsel herein.

14 **V. AUTHORITY**

15 The parties respectfully submit that the proposed change is in the interest of justice,
16 particularly given the relatively modest damage claims herein and the prospect for avoiding
17 substantial attorney and court time in summary judgment proceedings.

18 **VI. CONCLUSION**

19 The parties respectfully request that their motion be granted for the above-stated
20 reasons.

1 DATED this 26th day of January, 2006.

2 /s/ David N. Mark

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8 IT IS SO ORDERED, *i.e.*, the deadline for filing dispositive motions is extended to
9 February 21, 2006 and the parties are directed to attempt to attempt mediation/settlement
10 through the auspices of the Court or otherwise, prior to that time.

11 DATED this 6th day of February, 2006.



13 MONICA J. BENTON
14 United States Magistrate Judge
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